OGC Has Reviewed

2 February 1955

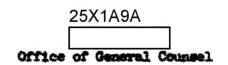
	MEMORANDUM FOR: Deputy Chief, Finance Division	
25X1A9A	SIBJECT : Delinquent Account, Case of	USAFR
	REFERENCE : Your Memorandum, Same Subject, date	ed 20 Jamesry 1955
25X1A9A	1. In your memorandum you request the opinion of this office as to the propriety of havingordered TDM to Washington from Maxwell Air Force Base, Montgomery, Alabama, at the Agency's expense for the purpose of attempting to settle the matter of his outstanding indebtedness to the Agency in the amount of \$685.92.	
25X1A9A	2. was on military detail with the	
25X1A9A	since been returned to his parent service and is now on duty at Maxwell Air Force Base. The amount which is sought to be collected arose out of an erroneous payment to	
25X1A9A	at least partially, because of administrative error	situation has arisen, in the Finance
25X1A9A	Division. It is your suggestion that an appropriat matter is to bring to Washington, confront has complete documentation of the matter, and attempt You offer your opinion that probably this can be do	e way to settle the im with what is now to reach an agreement.
	3. This office has no legal objection to the funds for the purpose suggested. While the matter the subject of any statute or regulation, we feel the Director to expend monies of the Agency is suff a circumstance of this nature.	is not specifically hat the authority of

4. As a matter of information, we call to your attention Public Law 497, 83rd Congress (68 Stat. 482 (1954)). This law authorizes the deduction from all authorized pay of any civilian employee of the United States, or member of one of the armed services, of any amount erroneously paid to such person by the head of the department or agency having jurisdiction of such person. The authority contained in this law would seem to be the appropriate one for action in most cases of the general nature here involved. However, since you seem to feel that an outright deduction

Approved For Release 2002/05/08: CIA-RDP59-00882R000100170019-0

25X1A9A	pay, without further ado, would not take cognizance of the equities of his particular situation, and there being no legal objection to the method proposed by you, this office would have no objection to your not resorting to the authority of the statute at this time. However, it is suggested that you avail yourself of the
25X1A9A	statute should you be unable to reach a satisfactory agreement with as well as in other cases where the right of the Government to any sums is clearly established.

5. Your file is returned.



OGC/HF:mm
2 - Addressee
1 - OGC subject (Claims 1)
1 - Signer
1 - Chrono